

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

ORTHO-MCNEIL	:	Civil Action No. 03-4678(SRC)
PHARMACEUTICAL INC., et al.,	:	
Plaintiffs,	:	
	:	
v.	:	
	:	
	:	ORDER
BARR LABORATORIES, INC.,	:	
	:	
Defendant.	:	
_____	:	

This matter having come before the Court upon Motion by Plaintiffs Ortho-McNeil Pharmaceutical, Inc. and Johnson & Johnson Pharmaceutical Research & Development, LLC (“Plaintiffs”) to Preclude Trial Testimony of Dr. James A. Simon on “New Opinions Not Contained in His Expert Reports,” [Docket Entry #51], returnable June 5, 2006; and Defendant Barr Laboratories, Inc. (“Defendant”) having submitted opposition; and the Court noting that Defendant has offered to redepose Dr. Simon at its expense, including attorneys’ fees, if Plaintiffs should so request; and the Court having reviewed the parties’ submissions; and the Court having conducted oral argument on April 11, 2006; and for the reasons expressed in the accompanying Memorandum Opinion; and good cause having been shown;

IT IS on this 29<sup>th</sup> day of June, 2006,

ORDERED that Plaintiff’s motion to preclude trial testimony of Dr. Simon [Docket Entry #51] is denied.

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*/s/ John J. Hughes*

**JOHN J. HUGHES**  
**UNITED STATES MAGISTRATE JUDGE**